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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/613,043	07/07/2003	Antero Iri	0101/0022	4699

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EXAMINER

TOLAN, EDWARD THOMAS

ART UNIT PAPER NUMBER

3725

DATE MAILED: 04/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

SP

Office Action Summary

Application No.

10/613,043

Applicant(s)

IRRI ET AL.

Examiner

Tolan Edward

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on election, 1-21-2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) 1-11 and 17-23 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7-7-2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 12 is rejected under 35 U.S.C. 102(b) as being anticipated by Sullivan et al. (5,004,399). Sullivan discloses a transfer and manipulating device for workpieces (S) comprising an automated manipulating means (28) to grip workpieces by suction (38), transfer means (12) and positioning means (42). The setting of the workpiece in the positioning means and the regripping of the workpiece is disclosed in column 6, lines 35-49 and column 7, lines 1-14. The positioning and manipulating means are located on the transfer means.

Claims 12-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Murakami et al. (4,989,444). Murakami discloses a transfer and manipulating device for workpieces (3) comprising an automated manipulating means (W) to grip workpieces by suction (30), transfer means (22) and at least two positioning means (53) having heads (54). The positioning means are provided in separate transfer means (8,9) which moves the positioning means to a specified position for setting of the workpiece (column 8, lines 30-39 and column 11, lines 60-64). The separate transfer means (8,9) are moved to a position in order to receive a workpiece from the manipulating means (W) so that the workpiece is set in a proper orientation for working.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sullivan et al. (5,004,399) in view of Caveney (6,769,861). Sullivan does not disclose two positioning means. Caveney teaches two positioning means (11,12). It would have been obvious to one skilled in the art at the time of invention to provide Sullivan with more than one positioning means as taught by Caveney in order to define a greater registration surface against which the workpiece is centered.

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sullivan et al (5,004,399) in view of Sartorio (4,806,071). Sullivan does not disclose double blank detection. Sartorio teaches that it is known to position sensors (60,61) to detect a number of blanks that are transferred. It would have been obvious to one skilled in the art at the time of invention to provide Sullivan with blank detecting sensors as taught by Sartorio in order to determine if there is more than one blank on the manipulator.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Murakami et al. (4,989,444) in view of Sartorio (4,806,071). Murakami does not

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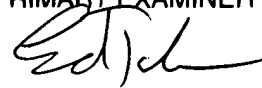
disclose double blank detection. Sartorio teaches that it is known to position sensors (60,61) to detect a number of blanks that are transferred. It would have been obvious to one skilled in the art at the time of invention to provide Murakami with blank detecting sensors as taught by Sartorio in order to determine if there is more than one blank on the manipulator.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication should be directed to Ed Tolan whose telephone number is 571-272-4525.

ED TOLAN
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read "Ed Tolan", is written over the printed name and title.